



## Ontario: Revised Statutes

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1980

# c 524 Vital Statistics Act

Ontario

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## CHAPTER 524

## Vital Statistics Act

## INTERPRETATION

## 1. In this Act,

Interpre-  
tation

- (a) "birth" means the complete expulsion or extraction from its mother of a foetus that did at any time after being completely expelled or extracted from the mother breathe or show any other sign of life, whether or not the umbilical cord was cut or the placenta attached;
- (b) "cemetery" includes a vault, a mausoleum and any land that is set apart or used for the interment of the dead or in which bodies are buried;
- (c) "cemetery owner" includes the person who is in charge of a cemetery or crematorium under the authority of the owner thereof;
- (d) "certificate" means a certified extract of the prescribed particulars of a registration in the records of the Registrar General;
- (e) "cremation" means the disposal of a dead body by incineration under the *Cemeteries Act*;
- (f) "Deputy Registrar General" means the Deputy Registrar General appointed under this Act;
- (g) "division registrar" means a division registrar appointed under this Act and includes a superintendent of an Indian agency;
- (h) "divorce" means dissolution and annulment of marriage and includes nullity of marriage;
- (i) "error" means any incorrect information and includes omission of information;
- (j) "funeral director" means a person who takes charge of the body of a still-born child or a deceased person for the purpose of burial, cremation or other disposition;

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c. I-6

- (k) "incapable" means unable through death, illness, absence from Ontario or otherwise;
- (l) "Indian" means an Indian within the meaning of the *Indian Act* (Canada) but does not include an enfranchised Indian;
- (m) "inspector" means an inspector of vital statistics appointed for the purposes of this Act;
- (n) "municipality" means a city, town, village, organized township or improvement district;
- (o) "notation" means any addition to, or alteration of, a registration in the records of the Registrar General or a division registrar;
- (p) "nurse" includes any person, other than a legally qualified medical practitioner, who attends at the birth of a child;
- (q) "occupier" includes a governor, keeper, warden, superintendent, manager or resident physician of any correctional institution, penitentiary or other place of detention, a children's home or orphanage, a public or private medical, surgical, maternity or mental hospital, or any public or private charitable institution, a manager of a hotel, and a keeper of a house for public accommodation, a tourist camp or other stopping-place for persons;
- (r) "prescribed form" means the form prescribed by the regulations;
- (s) "Registrar General" means the Minister of Consumer and Commercial Relations or such other member of the Executive Council to whom the administration of this Act is assigned;
- (t) "religious body" means a church or any religious denomination, sect, congregation or society;
- (u) "state" means any state or territory of the United States of America, or the District of Columbia;
- (v) "still-birth" means the complete expulsion or extraction from its mother of a product of conception either after the twentieth week of pregnancy or after the product of conception has attained the weight of 500 grams or more, and where after such expulsion or extraction there is no breathing, beating

of the heart, pulsation of the umbilical cord or movement of voluntary muscle;

- (w) "superintendent of an Indian agency" means a superintendent within the meaning of the *Indian Act* (Canada). R.S.O. 1970, c. 483, s. 1; 1973, c. 114, s. 1; O. Reg. 171/72, *part*. R.S.C. 1970,  
c. 1-6

#### ADMINISTRATION

2.—(1) The Registrar General shall direct a uniform system of registration of births, marriages, deaths, still-births, adoptions, divorces and changes of name in Ontario, and is charged with the enforcement of the provisions of this Act. Uniform  
system of  
registration

(2) The Registrar General shall cause the registrations of births, marriages, deaths, still-births, adoptions, divorces and changes of name occurring in Ontario and received in his office to be numbered in seven separate series and otherwise systematically filed according to each calendar year in accordance with the regulations and carefully kept in vaults provided for that purpose. Registrations  
to be  
numbered  
by Registrar  
General

(3) The Registrar General shall cause the registrations to be indexed separately according to each calendar year, and each index shall contain the numbers and such other particulars of the registrations as may be prescribed by the regulations. R.S.O. 1970, c. 483, s. 2. Indexing

3.—(1) The Registrar General shall examine the registrations received from the division registrars and, if the registrations are incomplete or unsatisfactory, he shall require such information to be supplied as may be necessary to complete the registration. Examination  
of registra-  
tions

(2) Where it is found upon examination that any registration received from a division registrar is incomplete as to the required signatures, the Registrar General shall cause the registration to be returned by registered mail to the proper division registrar in order that the signatures may be obtained. R.S.O. 1970, c. 483, s. 3 (1, 2). Registrations  
not signed

(3) The Registrar General shall cause all deaths registered under this Act to be classified according to the International List of Causes of Death as revised at the last decennial revision thereof by the International Commission assembled for that purpose. 1973, c. 114, s. 2. Classifi-  
cation by  
Internat-  
ional List of  
Causes of  
Death

Publication  
by Registrar  
General

(4) The Registrar General may collate, publish and distribute such statistical information regarding the births, marriages, deaths, still-births, adoptions, divorces and changes of name registered during any period as he may consider to be necessary and in the public interest. R.S.O. 1970, c. 483, s. 3 (4).

Annual  
report

(5) The Registrar General shall, after the close of each calendar year, submit to the Lieutenant Governor in Council a report as to the number of births, marriages, deaths, still-births, adoptions, divorces and changes of names registered during the preceding calendar year and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session. 1972, c. 1, s. 58, *part*.

Instructions  
by Registrar  
General

(6) The Registrar General shall prepare and issue to every division registrar such detailed instructions as may be required to procure the uniform observance of the provisions of this Act. R.S.O. 1970, c. 483, s. 3 (7).

Deputy  
Registrar  
General

4.—(1) There shall be a Deputy Registrar General appointed by the Lieutenant Governor in Council who shall have direct supervision of the office of the Registrar General and be responsible to the Registrar General for the conduct of his office and who shall perform such other duties as may be prescribed by the regulations or delegated to him by the Registrar General.

Appointment  
and duties  
of inspectors

(2) The Lieutenant Governor in Council may appoint inspectors of vital statistics for the purpose of this Act who shall perform such duties as may be prescribed by the regulations. R.S.O. 1970, c. 483, s. 4.

#### REGISTRATION OF BIRTHS

Duty of  
medical  
practitioners

5.—(1) Every legally qualified medical practitioner who attends at the birth within Ontario of a child shall give notice of the birth.

Duty of  
nurse

(2) Where no legally qualified medical practitioner is in attendance at the birth, the nurse in attendance shall give the notice of the birth.

Mode of  
giving  
notice

(3) The notice of the birth shall be in the prescribed form and shall be given by delivering or mailing the notice within two days after the day of birth to the division registrar of the registration division within which the child was born.

(4) The notice so given shall be transmitted by the division registrar to the Registrar General and preserved by the Registrar General until such time as the registration of the birth has been completed under this Act. R.S.O. 1970, c. 483, s. 5. Notice to be preserved

6.—(1) Within thirty days after the day of the birth within Ontario of a child, Statement of birth

(a) the mother;

(b) if the mother is incapable, the father; or

(c) if the mother and father are incapable, the person standing in the place of the parents of the child,

shall complete, certify and deliver or mail a statement in the prescribed form respecting the birth to the division registrar of the registration division within which the child was born, but the Registrar General may accept the statement of the father although the mother is not incapable. R.S.O. 1970, c. 483, s. 6 (1).

(2) Notwithstanding subsection (1), the father of a child born outside marriage is not required to register the birth of the child. R.S.O. 1970, c. 483, s. 6 (2); 1977, c. 41, s. 23 (1). Exception

(3) The statement shall state whether the mother of the child is single, married, widowed or divorced, but shall not state whether the parents of the child are married to each other. Contents of statement

(4) Except as provided in subsection (5), the birth of a child of a married woman shall be registered showing the surname of the husband as the surname of the child, and the particulars of the husband shall be given as those of the father of the child. Birth of child to married woman

(5) Where a married woman to whom a child is born files with the division registrar a statutory declaration in the prescribed form, Further alternative procedure in certain cases

(a) that when the child was conceived she was living separate and apart from her husband; and

(b) that her husband is not the father of the child,

no particulars of the father shall be given in the statement mentioned in subsection (1), unless the mother and a person who acknowledges himself to be the father of the child both so request in writing in the prescribed form, in which case the particulars of the person so acknowledging

may be given as the particulars of the father, or the birth may be registered showing the surname of the person so acknowledging as the surname of the child, or both. R.S.O. 1970, c. 483, s. 6 (3-5).

Amendment  
of registra-  
tion

(6) If the request referred to in subsection (5) is made after the registration of the birth, the Registrar General shall upon payment of the prescribed fee amend the registration in accordance with the request. 1973, c. 114, s. 3 (1).

Birth of  
child to  
unmarried  
woman

(7) Except as provided in subsection (8), the birth of a child of an unmarried woman shall be registered showing the surname of the mother as the surname of the child, and no particulars of the father shall be given.

Where  
father  
acknow-  
ledged

(8) Where an unmarried woman who is the mother of a child and a person acknowledging himself to be the father by statutory declaration in the prescribed form so request, the particulars of the person so acknowledging shall be given as the particulars of the father and the birth shall be registered showing the surname of the person so acknowledging as the surname of the child. R.S.O. 1970, c. 483, s. 6 (7, 8).

Amendment  
of registra-  
tion

(9) The statutory declaration mentioned in subsection (8) shall be filed by the mother with the division registrar or, if the declaration is made after the registration of the birth, with the Registrar General, and in the latter case the Registrar General shall upon payment of the prescribed fee amend the registration in accordance with such declaration. 1973, c. 114, s. 3 (2).

Plural  
births

(10) If more than one child is delivered from the mother during a single confinement, a separate statement for each child shall be completed, certified and delivered or mailed as provided in subsection (1), and in each statement the number of children born during the confinement and the number in the order of birth shall be given. R.S.O. 1970, c. 483, s. 6 (10).

Registra-  
tion of  
double  
surname

(11) Upon the joint request in the prescribed form of the mother and the husband referred to in subsection (4) or of the mother and person acknowledging himself to be the father under subsection (5) or (8), the birth of a child may be registered,

(a) where the registration is under subsection (4), showing the surname of the husband hyphenated or

combined with the surname of the mother as the surname of the child; or

- (b) where the registration is made under subsection (5) or (8) or amended under subsection (6) or (9), showing the surname of the person acknowledging himself to be the father, hyphenated or combined with the surname of the mother as the surname of the child. 1976, c. 40, s. 1; 1978, c. 81, s. 1 (1, 2).

(12) Where a joint request is made under subsection (11) and a registration is made showing the surname of the husband or father, as the case may be, hyphenated or combined with the surname of the mother, the births of all children born to the persons making the joint application subsequent to the registration shall be registered in the surname given to the child whose birth was registered pursuant to the request under subsection (11). Registration of births after subs. (11) request

(13) Where a joint request is made under subsection (11) in respect of a registration of birth made before the 1st day of February, 1979, the Registrar General shall amend the registration in accordance with the joint request. 1978, c. 81, s. 1 (3). Amendment of prior registration

7. If the statement respecting the birth of a child is not completed, certified and delivered or mailed in the manner and within the time provided in section 6, every person upon whom the duty of completing, certifying and delivering or mailing the statement is imposed by section 6 remains liable to perform that duty notwithstanding the expiration of the time so provided, and is, in respect of each successive period of thirty days thereafter during which he neglects so to complete, certify and deliver or mail the statement, guilty of a contravention of this Act. R.S.O. 1970, c. 483, s. 7. Contravention

8.—(1) If the statement respecting the birth of a child is not completed, certified and delivered or mailed in the manner and within the time provided in section 6, Statement of birth when parents fail to supply statement

(a) the occupier of the premises in which the child was born, if he has knowledge of the birth; or

(b) a nurse present at the birth,

shall, upon being required so to do by the Registrar General, complete, certify and deliver or mail the statement to the division registrar of the registration division within which the child was born.



Contra-  
vention

(2) Every person who has knowledge of the birth and who neglects to complete, certify and deliver or mail the statement respecting the birth of a child upon being required so to do under subsection (1) is guilty of a contravention of this Act. R.S.O. 1970, c. 483, s. 8.

Registration  
of birth

9.—(1) Upon receipt, within one year from the day of the birth of a child, of a statement in the prescribed form respecting the birth, the division registrar, if he is satisfied as to the correctness and sufficiency thereof, shall register the birth by signing the statement, and thereupon the statement constitutes the registration of the birth.

Not to  
register after  
one year

(2) A division registrar shall not register a birth after one year from the day of the birth. R.S.O. 1970, c. 483, s. 9.

Registration  
of birth by  
Registrar  
General

10.—(1) If the birth of a child has not been registered within one year from the day of the birth, application for the registration of the birth may be made to the Registrar General by the person whose birth has not been registered or by any other person.

Method of  
application  
for regis-  
tration

(2) The application shall be accompanied by,

- (a) the prescribed fee;
- (b) a statement in the prescribed form, completed and certified by the applicant or any other person;
- (c) a statutory declaration in the prescribed form by the applicant or any other person; and
- (d) such other evidence as may be prescribed by the regulations.

## Registration

(3) If the Registrar General is satisfied as to the *bona fides* of the application and the correctness and sufficiency of the evidence adduced in support thereof, and that the regulations have been complied with, he may register the birth by signing the statement, and thereupon the statement constitutes the registration of the birth. R.S.O. 1970, c. 483, s. 10.

## Foundlings

11.—(1) If a living new-born child is found deserted, the person who finds the child and any person in whose charge the child is placed shall give to the best of his knowledge and belief to the division registrar of the registration division within which the child is found, within seven days after the finding or taking charge of the child, such information concerning the birth of the child as the informant may possess.

(2) The division registrar, upon receipt of such information regarding the birth of the child and upon being satisfied that every effort has been made to identify the child without success, shall,

Duties of  
division  
registrar

(a) cause the person who found or has charge of the child to complete a statutory declaration concerning the facts of the finding of the child and to complete and certify, so far as the person is able, a statement in the prescribed form required under subsection 6 (1);

(b) cause the child to be examined by the local medical officer of health or a legally qualified medical practitioner with a view to determining as nearly as possible the day of the birth of the child, and the examiner shall make a statutory declaration setting forth the facts as determined by the examination; and

(c) make a detailed report of the case and transmit the report to the Registrar General together with evidence regarding the birth of the child.

(3) A legally qualified medical practitioner shall receive a fee of <sup>Fee</sup> \$5 for the examination under clause (2) (b), which fee shall be paid by the Treasurer of Ontario out of the Consolidated Revenue Fund.

(4) The Registrar General, upon receipt of the evidence referred to in subsection (2), shall review the case and, upon being satisfied as to the correctness and sufficiency of the facts stated, shall register the birth and for the purpose of registration shall establish for the child,

Registration  
of birth of  
foundlings

(a) a date of birth;

(b) a place of birth; and

(c) a surname and given name.

(5) If, subsequent to the registration, the identity of the child is established to the satisfaction of the Registrar General, he may by order set aside the registration made pursuant to this section and cause the substitution of a new registration of the birth in accordance with the actual facts of the birth, and cause the original registration to be withdrawn from the registration files and kept in a separate file and sealed.

Subsequent  
registration  
if child  
identified

(6) Where the identity of the child is established and a new registration is made pursuant to subsection (5), the

Date of  
registration

date of the new registration shall be the date of the original registration.

Cancellation  
of certificates

(7) The holder of a certificate issued in respect of a registration of a birth made pursuant to subsection (4), which registration has been withdrawn pursuant to subsection (5), shall deliver it forthwith upon demand to the Registrar General for cancellation. R.S.O. 1970, c. 483, s. 11.

Registration  
where  
parents  
subsequently  
marry

**12.—**(1) Where after the birth of a child his parents intermarry and,

- (a) the parents of the child;
- (b) where one parent is dead or mentally incapable, the other parent of the child; or
- (c) where both parents are dead or mentally incapable,
  - (i) the guardian or person *in loco parentis* of the child, or
  - (ii) the child if he is of the age of eighteen years or more,

completes and certifies the statement required under subsection 6 (1), delivers the statement to the Registrar General together with such evidence as is required by the Registrar General and pays the prescribed fee, the Registrar General shall,

- (d) register the birth as if the parents had been married to each other at the time of the birth; and
- (e) make a notation on the statement that the registration was made under this section,

and the statement constitutes the registration of the birth. R.S.O. 1970, c. 483, s. 12 (1); 1971, c. 98, s. 4, Sched., par. 35; 1977, c. 41, s. 23 (2).

Original  
registration  
to be  
withdrawn

(2) Where the birth of the child has been registered before the marriage, the original registration shall be withdrawn from the registration files and shall be kept in a separate file and sealed. R.S.O. 1970, c. 483, s. 12 (2).

Alteration  
of given  
name of  
child

**13.—**(1) Where the birth of a child has been registered and,

- (a) the given name by which the child was registered has been changed; or

(b) the child was registered without a given name,

the Registrar General, upon payment of the prescribed fee and upon receipt of a statutory declaration containing such particulars as may be prescribed by the regulations as to the change or giving of the given name, completed by the father, mother or guardian of the child, or the person procuring the name to be changed or given, shall cause a notation of the alteration or addition to be made on the registration of the birth.

(2) Where the change of the given name is effected by baptism, a certificate of baptism signed by the person who performed the rite of baptism shall be filed with the statutory declaration. Baptismal certificate to be filed

(3) This section applies only where the given name of the child was changed or the new name given within ten years after the birth of the child. Application of section

(4) No notation shall be made in a registration regarding the given name of a child except in the manner prescribed in subsection (1), or under the provisions of this Act in respect of adopted children, changes of names and correction of errors. Limitation on alterations to given name

(5) Every notation made under this section shall be dated and initialled by the person making the notation. Notation to be dated and initialled

(6) If subsequent to the making of a notation under this section application is made for a birth certificate, the certificate shall be prepared as if the registration had been made containing the changed or new given name at the time of registration, but, if a certified copy of the registration is required, the certified copy shall contain a copy of the notation made under subsection (1). Changes to be shown on certificate

(1). R.S.O. 1970, c. 483, s. 13.

#### REGISTRATION OF STILL-BIRTHS

14.—(1) In the case of a still-birth within Ontario, the person who, in the case of a birth, would have been required to furnish particulars of the birth under subsection 6 (1) shall complete, certify and deliver a statement in the prescribed form respecting the still-birth to the funeral director in charge of the body. Statement re still-births

(2) The legally qualified medical practitioner in attendance at a still-birth or, where there is no legally qualified Medical certificate

medical practitioner in attendance, a coroner shall complete a medical certificate in the prescribed form of the cause of the still-birth and shall deliver it to the funeral director in charge of the body.

Duty of  
funeral  
director

(3) Upon receipt of the statement and the medical certificate, the funeral director shall complete the statement setting forth the proposed date and place of burial, cremation or other disposition or the removal of the body and shall deliver the statement and medical certificate to the division registrar of the proper registration division.

Registration  
of still-birth

(4) Upon receipt of the statement and the medical certificate, the division registrar, if he is satisfied as to the correctness and sufficiency thereof, shall register the still-birth by signing the statement and medical certificate and thereupon the statement and medical certificate constitute the registration of the still-birth.

Burial  
permit

(5) Upon the registration of a still-birth, the division registrar, without the payment of any fee, shall forthwith prepare and deliver to the person requiring the same for the purpose of the burial, cremation or other disposition or removal of the body of the still-born child,

(a) an acknowledgment that the still-birth has been registered; and

(b) a burial permit for the purpose of the burial or other disposition of the body.

Application  
of ss. 5-10, 12,  
17-23

(6) Subject to the provisions of this section, sections 5 to 10, 12 and 17 to 23 apply with necessary modifications to still-births. R.S.O. 1970, c. 483, s. 14.

#### REGISTRATION OF MARRIAGES

Marriages

**15.—**(1) Every marriage that is solemnized in Ontario shall be registered under this Act. R.S.O. 1970, c. 483, s. 15 (1).

Registration  
of marriage

(2) If an officer designated under clause 54 (*m*) is satisfied as to the correctness and sufficiency of a statement of marriage forwarded to the Registrar General under the regulations made under the *Marriage Act*, he shall register the marriage and upon the request of the person who solemnized the marriage, he shall mail an acknowledgment of receipt of the statement of marriage to such person. 1973, c. 114, s. 4, *revised*.

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c. 256

16. If a marriage has not been registered within one year from the day of the marriage, the registration may be made by the Registrar General upon such evidence as may be prescribed by the regulations. R.S.O. 1970, c. 483, s. 16.

Registration  
of marriage  
by Registrar  
General

#### REGISTRATION OF DEATHS

17.—(1) The death of every person who dies within Ontario shall be registered in the office of the division registrar of the registration division within which the death occurs or, if the place of death is not known, then in the office of the division registrar of the registration division within which the body is found.

Place of  
registration  
of deaths

(2) A statement in the prescribed form containing personal particulars of the deceased person shall, upon the request of the funeral director in charge of the body, be completed, certified and delivered to the funeral director,

Information  
respecting  
deceased

(a) by the nearest relative present at the death or last illness, or any relative who may be available;

(b) if no relative is available, by the occupier of the premises in which the person died or, if the occupier is the person who has died, by any adult person residing in the premises who was present at the death or has knowledge of the personal particulars;

(c) if the death occurred in unoccupied premises and no relative is available, by any adult person who was present at the death or has knowledge of the personal particulars; or

(d) by the coroner, who has been notified of the death and has made an investigation or held an inquest regarding the death. R.S.O. 1970, c. 483, s. 17 (1, 2).

(3) Subject to subsection (4), any legally qualified medical practitioner who has been in attendance during the last illness of a deceased person or who has sufficient knowledge of the last illness, shall forthwith after the death complete and sign a medical certificate of death in the prescribed form, stating therein the cause of death according to the International List of Causes of Death as last revised by the International Commission assembled for that purpose, and shall deliver the medical certificate to the funeral director or other person in charge of the body.

Medical  
certificate  
of death

Coroner's  
case  
R. S. O. 1980,  
c. 93

(4) In the case of a death of which the coroner is required to be notified under section 10 of the *Coroners Act*, the coroner notified shall, as soon as the cause of death is known, complete and sign a medical certificate of death in the prescribed form, stating therein the cause of death according to the International List of Causes of Death as last revised by the International Commission assembled for that purpose, and shall deliver the medical certificate to the funeral director in charge of the body.

Copying of  
death  
certificate

(5) No person shall make a copy or a duplicate of the medical certificate of death, nor shall any person receive a copy of the certificate, except as authorized by this or any other Act or the regulations made thereunder.

Duties of  
funeral  
director,  
etc.

(6) Upon receipt of the statement containing the personal particulars and the medical certificate of death, the funeral director shall complete the statement containing personal particulars, setting forth the proposed date and place of burial, cremation or other disposition or the removal of the body, and shall deliver the statement and the medical certificate to the division registrar of the proper registration division. 1973, c. 114, s. 5.

Registration  
of death  
by division  
registrar

**18.**—(1) Upon the receipt, within one year from the day of the death of a person, of the statement containing the personal particulars and the medical certificate, the division registrar, if he is satisfied as to the correctness and sufficiency thereof, shall register the death by signing the statement and medical certificate, and thereupon the statement and medical certificate constitute the registration of the death.

Time  
limitation

(2) A division registrar shall not register any death after one year from the day of the death.

Duty of  
division  
registrar

(3) Upon the registration of a death, the division registrar, without the payment of any fee, shall forthwith prepare and deliver to the funeral director requiring the same for the purpose of the burial, cremation or other disposition or the removal of the body of the deceased person,

(a) an acknowledgment that the death has been registered; and

(b) a burial permit for the purpose of the burial or other disposition of the body. R.S.O. 1970, c. 483, s. 18.

**19.**—(1) If a death has occurred and it is impracticable to register it, by reason of distance, with the division registrar of the proper registration division, registration of the death may be made with the nearest division registrar who, upon payment of the prescribed fee, shall register the death and issue an acknowledgment of registration of death and a burial permit. Registration in another registration division

(2) Where a death has been registered in accordance with subsection (1), the division registrar who registers the death is entitled to the fee for his own use. R.S.O. 1970, c. 483, s. 19. Fee for registration in another division

**20.**—(1) If there is reason to believe that a person has died as a result of violence or misadventure or by unfair means or from any cause other than disease, or as a result of negligence, malpractice or misconduct on the part of others or under such circumstances as require investigation, no acknowledgment of registration of death and no burial permit shall be issued by the division registrar unless, Death by violence or misadventure

(a) the body has been examined by a coroner and the coroner has made inquiry into the circumstances of the death or held an inquest as provided by the *Coroners Act*;

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(b) the coroner has signed the medical certificate of death; and

(c) the other provisions of this Act regarding registration of death have been complied with. R.S.O. 1970, c. 483, s. 20 (1).

(2) Where a person has died under any of the circumstances mentioned in subsection (1) and it is impracticable for the coroner to complete a medical certificate of the cause of death, he may issue his warrant to bury when he has examined the body as provided in the *Coroners Act*, and the division registrar shall issue a burial permit on the delivery to him of the warrant to bury and the statement of death and the coroner shall, as soon as the cause of death is known, complete and deliver or mail the medical certificate of death to the Registrar General. 1973, c. 114, s. 6. Coroner's warrant to bury

**21.**—(1) Subject to subsection 20 (2), no person shall bury, cremate or otherwise dispose of the body of any person who dies within Ontario or remove the body from the registration division within which the death occurred or the body is found, and no person shall take part in or conduct any funeral or religious service Registration before disposition of body



for the purpose of burial, cremation or other disposition of the body of a deceased person, unless the death has been registered under this Act and an acknowledgment of registration of death and a burial permit has been obtained from the division registrar.

Acknowledgment to be retained by funeral director

(2) The funeral director shall retain the acknowledgment of registration of death as evidence of his having complied with this Act.

Person not to conduct service unless burial permit produced

(3) No person shall conduct a funeral or other religious burial service unless the burial permit signed by the proper division registrar is produced to him.

Delivery of burial permit

(4) A cemetery owner shall not permit the interment or cremation of the body of any person in the cemetery or crematorium unless the burial permit is delivered to him.

Cemetery owner to retain burial permit

(5) The cemetery owner shall retain the burial permit for a period of at least two years after the burial.

Where no person in charge of cemetery

(6) Where no person is in charge of the cemetery at the time of the burial or other disposition of the body, the funeral director shall write across the face of the burial permit the words "No person in charge" and shall append his signature thereto and return the burial permit to the division registrar of the registration division in which the burial or other disposition took place. R.S.O. 1970, c. 483, s. 21.

Removal of bodies

**22.**—(1) If the body of a person is to be removed to the place of burial or other disposition by a transportation company or other common carrier, the removal shall not take place until the burial permit has been affixed to the outside of the casket.

Death outside Ontario

(2) If the death occurred outside of Ontario and the burial or other disposition of the body is to take place in Ontario, a burial, transit or removal permit or such other document as may be prescribed or required under the laws of the jurisdiction in which the death occurred, signed by the proper officer of the place in which the death occurred, is sufficient authority for the burial or other disposition of the body. R.S.O. 1970, c. 483, s. 22.

Registration of death by Registrar General

**23.**—(1) If the death of a person has not been registered within one year from the day of the death, application for registration of the death may be made to the Registrar General in the prescribed form.

(2) The application shall be accompanied by,

Method of  
application  
for registra-  
tion

(a) the prescribed fee;

(b) the statement provided for in subsection 17 (2), completed and certified;

(c) a statutory declaration in the prescribed form by the applicant or any other person; and

(d) such other evidence as may be prescribed by the regulations.

(3) If the Registrar General is satisfied as to the *bona fides* of the application and the correctness and sufficiency of the evidence adduced in support thereof, he may register the death by signing the statement, and thereupon the statement constitutes the registration of the death. R.S.O. 1970, c. 483, s. 23.

Registration  
of death

#### ADOPTION ORDERS

**24.**—(1) Upon receipt of a certified copy of an adoption order transmitted under subsection 80 (2) of the *Child Welfare Act*, or any predecessor thereof, or a certified copy of an order, judgment or decree of adoption made by a court of competent jurisdiction of another province or territory of Canada or of a foreign state, issued under the seal of the proper certifying authority, the Registrar General shall register the order, judgment or decree.

Registration  
of adoption  
orders  
R.S.O. 1980,  
c. 66

(2) If the birth of the person adopted,

Change in  
birth  
registration

(a) was registered in Ontario before the adoption;  
or

(b) is registered in Ontario after the adoption in accordance with this Act,

the Registrar General, upon production of evidence satisfactory to him of the identity of the person together with an application for the registration of the birth in the prescribed form, may by order set aside any registration made under section 9, 10, 11 or 12 or to this section and cause the substitution of a new registration of the birth in accordance with the facts contained in the adoption order, judgment or decree as if the adopted person had

on the date and in the place of birth recorded in the original registration been born in lawful wedlock to the adopting parent, and cause the original registration to be withdrawn from the registration files and kept in a separate file and sealed, but in every such case, whether or not such an application is made, the Registrar General shall cause a notation of the adoption and of any change of name consequent thereon with a reference to the registration of the order to be made upon the original registration of the birth of the person, and shall cause a reference to the original registration of the birth to be endorsed on the copy of the order, judgment or decree.

Idem

(3) Where a new registration is made pursuant to subsection (2), the date of the new registration shall be the date of the original registration.

Birth  
certificate

(4) Where a new registration has been made pursuant to subsection (2) and application is made for a birth certificate, the certificate shall be issued in accordance with the new registration.

Idem

(5) The holder of a birth certificate in respect of a registration of a birth that has been withdrawn pursuant to subsection (2) shall, forthwith upon demand by the Registrar General, deliver it to the Registrar General for cancellation. R.S.O. 1970, c. 483, s. 24.

Child born  
in another  
province  
or state  
R.S.O. 1980,  
c. 66

**25.—**(1) If a child born in another province or in any state has been adopted in Ontario under the *Child Welfare Act*, the Registrar General shall transmit a certified copy of the order to the person having charge of the registration of births in the province or state in which the child was born.

Child born  
in another  
jurisdiction

(2) If a child born in a jurisdiction other than a province or state has been adopted in Ontario under the *Child Welfare Act*, the Registrar General, upon request, may transmit a certified copy of the order to the person having charge of the registration of births in the jurisdiction in which the child was born. R.S.O. 1970, c. 483, s. 25.

## CHANGES OF NAMES

Registration  
of change  
of name

**26.—**(1) Upon receipt of a document that satisfies the Registrar General that the name of a person whose birth or marriage is registered in Ontario has been changed in accordance with the law of the province or territory of

Canada or of the foreign state in which the document was made, the Registrar General shall register the document and note the change of name on the birth or marriage registration of the person.

(2) Where a change of name has been noted on a birth or marriage registration and application is made for a birth or marriage certificate, the certificate shall be issued as if the registration had been made in the name as changed. Certificate after change of name

(3) Upon receipt of a document that satisfies the Registrar General that a document effecting a change of name has been annulled in accordance with the law of the province or territory of Canada or of the foreign state in which such documents were made, the Registrar General shall register the document and note the annulment on the birth or marriage registration of the person and on the document effecting the change of name. Registration of annulment of change of name

(4) Every notation made under this section shall be dated and initialled by an officer designated by the regulations. Notation to be dated and initialled R.S.O. 1970, c. 483, s. 26.

#### DIVORCE DECREES

**27.**—(1) The Registrar of the Supreme Court and every local registrar of the Supreme Court shall, from time to time, as prescribed by the regulations, furnish to the Registrar General a statement in the prescribed form respecting each final decree of divorce entered by him in the Supreme Court. Statement by registrar respecting divorce decrees

(2) If the marriage dissolved or annulled by the decree was solemnized in Ontario and registered with the Registrar General, the Registrar General, upon receipt of the statement of the divorce, shall register the statement. Registration of statement

(3) No certificate of divorce shall be issued by the Registrar General. Certificates prohibited R.S.O. 1970, c. 483, s. 27.

#### REGISTRATION OF BIRTHS AND DEATHS OCCURRING ON BOARD SHIP

**28.** Upon receipt from the Minister of Transport of information transmitted under the *Canada Shipping Act*, respecting the birth of a child or the death of a person on board a ship whose port of registry is within Ontario, the Births and deaths on board ship  
R.S.C. 1970, c. S-9

Deputy Registrar General may register the birth or death. R.S.O. 1970, c. 483, s. 28.

#### CHURCH RECORDS

Filing of  
church  
records

**29.**—(1) Any cemetery company or association, or any religious body or historical society or association, or any corporation or individual, in possession of any record of births, marriages, baptisms or deaths that may be of value in establishing the genealogy of any resident in Ontario, may, with the approval of the Registrar General, deposit the record with the Registrar General without charge.

Records to  
be preserved

(2) Upon being deposited, the records shall be preserved and remain in the custody of the Registrar General as part of the records of his office. R.S.O. 1970, c. 483, s. 29.

#### CORRECTION OF ERRORS IN REGISTRATIONS

Corrections  
by division  
registrar

**30.**—(1) If, while the registration of any birth, death or still-birth is in the possession of a division registrar, it is reported to him that an error has been made in the registration, he shall inquire into the facts and, if he is satisfied that an error has been made in the registration, he may correct the error according to the facts by a notation on the registration without any alteration being made in the registration.

Correction  
by personal  
appearance

(2) If the person originally supplying the information contained in a registration to be corrected appears in person, the division registrar may permit correction in the original entry.

Correction  
by Registrar  
General

(3) If, after a registration has been received or made by the Registrar General, it is reported to him that an error has been made, the Registrar General shall inquire into the facts and, upon the production of evidence satisfactory to him, supplemented by statutory declaration in the prescribed form, he may correct the error by a notation on the registration without any alteration being made in the registration.

Certificate of  
registration  
that has been  
corrected

(4) If, subsequent to the correction of an error, application is made for a certificate pursuant to this Act, the certificate shall be prepared as if the registration had been made containing correct particulars at the time of registration,

but, if a certified copy of the registration is required, the certified copy shall contain a copy of the notation made under subsection (1) or (3).

(5) Every notation made under this section shall be dated and initialled by the person making the correction or the officer designated by the regulations. Notation on registration R.S.O. 1970, c. 483, s. 30.

**31.**—(1) If, after a registration of birth has been received or made by the Registrar General, it appears or is reported to him that, because of incorrect information in the registration, the registration does not comply with the requirements of subsections 6 (4) and (7), the Registrar General shall inquire into the facts and, upon production of evidence satisfactory to him, supplemented by statutory declaration in the prescribed form, he may, instead of correcting the error under section 30, order that the registration be cancelled and that a new registration of the birth be made. Substitute registrations

(2) Where an order is made under subsection (1), the Registrar General shall attach the order to, and cause a notation of the order to be made on, the existing registration, and the existing registration and order shall be kept in a separate file and sealed. Order to be attached to registration

(3) Where a substituted registration of birth is made and an application is made for a birth certificate or certified copy of registration in respect of the birth, the certificate or certified copy shall be issued having regard to the substituted registration only. Certificates and certified copies R.S.O. 1970, c. 483, s. 31.

#### CHANGES RESULTING FROM TRANSSEXUAL SURGERY

**32.**—(1) Where the anatomical sex structure of a person is changed to a sex other than that which appears on the registration of birth, the person may apply to the Registrar General to have the designation of sex on the registration of birth changed so that the designation will be consistent with the results of the transsexual surgery. Changing sex designation appearing on registration of birth

(2) An application made under subsection (1) shall be accompanied by, Application

(a) a certificate signed by a medical practitioner legally qualified to practise medicine in the jurisdiction in

which the transsexual surgery was performed upon the applicant, certifying that,

- (i) he performed transsexual surgery on the applicant, and
  - (ii) as a result of the transsexual surgery, the designation of sex of the applicant should be changed on the registration of birth of the applicant;
- (b) a certificate of a medical practitioner who did not perform the transsexual surgery but who is qualified and licensed to practise medicine in Ontario certifying that,
- (i) he has examined the applicant,
  - (ii) the results of the examination substantiate that transsexual surgery was performed upon the applicant, and
  - (iii) as a result of the transsexual surgery, the description of the sex of the applicant should be changed on the registration of birth of the applicant; and
- (c) evidence satisfactory to the Registrar General as to the identity of the applicant.

Alternate  
medical  
evidence

(3) Where it is not possible to obtain the medical certificate referred to in clause (2) (a), the applicant shall submit such medical evidence of the transsexual surgery as the Registrar General considers necessary.

Notation on  
birth  
registration  
to be  
consistent  
with result  
of surgery

(4) The Registrar General shall, upon application made to him in accordance with this section, cause a notation to be made on the birth registration of the applicant so that the registration is consistent with the results of the surgery.

Birth  
certificate  
issued after  
notation

(5) Every birth certificate issued after the making of a notation under this section shall be issued as if the original registration of birth had been made showing the designation of sex as changed under this section. 1978, c. 81, s. 2.

#### REGISTRATION DIVISIONS

Registration  
divisions

**33.—**(1) The whole of Ontario shall be divided into registration divisions.

- (2) Every municipality is a registration division.

Municipal  
units

(3) The Lieutenant Governor in Council may divide that part of Ontario not within a municipality into registration divisions; and may from time to time extend, reduce, subdivide or annul any such registration division or merge it in whole or in part with one or more registration divisions and may attach any territory or portion thereof not being part of a municipality to a registration division constituted under subsection (2). R.S.O. 1970, c. 483, s. 32.

Unorganized  
territory

#### APPOINTMENT AND DUTIES OF DIVISION REGISTRARS

34.—(1) The clerk of every municipality is *ex officio* division registrar of the registration division formed by the municipality and any territory thereto attached unless the Lieutenant Governor in Council appoints some other person as a division registrar in his stead.

Municipal  
clerks to be  
division  
registrars

(2) The Lieutenant Governor in Council may appoint the division registrar for a registration division that is formed of territory not within a municipality or attached to a municipality.

Appointment  
of division  
registrar in  
unorganized  
territory

(3) The division registrar has power to take the affidavit or statutory declaration of any person for the purposes of this Act.

Power  
to take  
affidavits

(4) A division registrar may, with the approval of the Registrar General, appoint one or more deputy division registrars to act for him and any such deputy while so acting has all the powers and duties of the division registrar who appointed him.

Deputy  
division  
registrars

(5) A division registrar may, with the approval of the Registrar General, appoint sub-registrars for the special purpose of issuing burial permits upon the delivery of a completed statement of personal particulars and medical certificate and upon payment of a special fee of 25 cents.

Sub-  
registrars

(6) A sub-registrar shall forthwith transmit the statement of personal particulars and the medical certificate to the division registrar by whom he was appointed. R.S.O. 1970, c. 483, s. 33.

Sub-  
registrar to  
forward  
documents

35. The division registrar shall,

Duties of  
division  
registrar

- (a) receive and sign statements and registrations and issue burial permits;



- (b) supply, free of charge, any prescribed form required by any person in order to comply with this Act;
- (c) keep all registrations, records, notices and documents received by him in a place of safety;
- (d) use all available means to obtain the necessary information for the purpose of completing the registrations required to be made by him;
- (e) inform the proper person of the duty to furnish him with particulars for the registration of a birth, death or still-birth if he has reason to believe that any has taken place within his division and has not been registered, and, on the failure of the person to make the registration within seven days, supply to the Registrar General such information as he has in his possession regarding the failure of any person to furnish the required particulars;
- (f) examine every statement of birth, death or still-birth in order to ascertain whether or not it has been completed in the prescribed form;
- (g) ensure that every registration of birth, death or still-birth has been written legibly in durable ink;
- (h) refuse to accept any statement that does not contain all the items of information required therein unless he has received a satisfactory explanation for the omission;
- (i) call attention to any defects in a statement of personal particulars or medical certificate of death that is incomplete or unsatisfactory, and withhold the issuance of the acknowledgment of registration of death and the burial permit until the defects have been corrected;
- (j) sign every registration as division registrar in attestation of the date of registration in his office;
- (k) number consecutively the registrations of births, deaths and still-births in separate series beginning with "No. 1" for the first registration of a birth, death or still-birth in each calendar year;

- (l) transmit to the Registrar General as required by the regulations the registration of every birth, death and still-birth made by him;
- (m) report the fact to the Registrar General, in the prescribed form, if no birth, death or still-birth has been registered;
- (n) keep such records as may be prescribed by the regulations;
- (o) transmit to the proper division registrar within forty-eight hours every statement of birth received by him that did not occur within his registration division; and
- (p) transmit to the proper division registrar within forty-eight hours notice of every registration of death or still-birth made by him that did not occur within his registration division. R.S.O. 1970, c. 483, s. 34.

**36.** Every division registrar shall, under the direction of the Registrar General, enforce this Act in his registration division and shall make an immediate report to the Registrar General of any contravention of this Act of which he has knowledge. R.S.O. 1970, c. 483, s. 35.

Report to Registrar General of any contravention of Act

#### REMUNERATION OF DIVISION REGISTRAR

**37.**—(1) Every municipality shall pay annually, on the 1st day of February, to the division registrar, a remuneration of 25 cents for each registration of a birth, death or still-birth transmitted to the Registrar General during the preceding calendar year, on presentation of the certificate of the Registrar General to the treasurer of the municipality, but a municipality may by by-law with the approval of the Registrar General limit the aggregate remuneration of the division registrar or provide for the payment of a stated annual remuneration.

Remuneration of division registrar

(2) Remuneration at double the rates set forth in subsection (1) shall be paid by the Treasurer of Ontario out of the Consolidated Revenue Fund to every superintendent of an Indian agency and to every division registrar appointed by the Lieutenant Governor in Council for any registration division not included in or attached to a municipality.

Remuneration in unorganized territory

(3) Nothing in this section prevents the remuneration of a division registrar being paid to him monthly, but in

Monthly remuneration permissible

that case the remuneration shall be paid within ten days of the presentation of the certificate of the Registrar General. R.S.O. 1970, c. 483, s. 36.

#### FORMS

Registrar  
General to  
distribute  
forms

**38.**—(1) The Registrar General shall distribute the prescribed forms to the division registrars.

Cost of  
forms

(2) The cost of the prescribed forms and the distribution thereof shall be paid out of the Consolidated Revenue Fund.

No other  
forms to  
be used

(3) No forms shall be used for the purposes of this Act other than the prescribed forms supplied by the Registrar General. R.S.O. 1970, c. 483, s. 37.

#### CERTIFICATES AND SEARCHES

Contents,  
of birth  
certificate

**39.**—(1) A birth certificate shall contain only the following particulars of the registration:

- (a) name of the child;
- (b) date of birth;
- (c) place of birth;
- (d) sex;
- (e) date of registration; and
- (f) registration number.

of death  
certificate

(2) A death certificate shall contain only the following particulars of the registration:

- (a) name, age and marital status of the deceased;
- (b) date of death;
- (c) place of death;
- (d) sex;
- (e) date of registration; and
- (f) registration number.

(3) A marriage certificate shall contain only the following particulars of the registration: of marriage certificate

- (a) names of the parties;
- (b) date of the marriage;
- (c) place of the marriage;
- (d) place of birth of each of the parties;
- (e) date of registration; and
- (f) registration number.

(4) No still-birth certificate shall be issued.

Still-birth certificate

(5) A certificate, order or other document, issued by the Registrar General pursuant to this Act, may bear the seal of office of the Registrar General. R.S.O. 1970, c. 483, s. 38. Certificates under seal

40.—(1) Upon application and upon payment of the prescribed fee, any person who furnishes substantially accurate particulars, and satisfies the Registrar General as to his reason for requiring it, may obtain from the Registrar General a birth certificate in respect of any birth of which there is a registration in his office. Who may obtain birth certificate

(2) Upon application and upon payment of the prescribed fee, any person may obtain from the Registrar General a death certificate in respect of any death of which there is a registration in his office. death certificate

(3) Upon application and upon payment of the prescribed fee, marriage certificate

- (a) one of the parties to the marriage;
- (b) a parent of one of the parties;
- (c) a child of the marriage; or
- (d) any person with the approval of the Registrar General,

may obtain from the Registrar General a marriage certificate in respect of any marriage of which there is a registration in his office. R.S.O. 1970, c. 483, s. 39.

Who may  
obtain copy  
of registra-  
tion of birth,  
death or  
still-birth

**41.**—(1) No certified copy of a registration of birth, death or still-birth shall be issued except to a person authorized by the Registrar General or the order of a court and upon payment of the prescribed fee.

Who may  
obtain copy  
of registra-  
tion of  
marriage

(2) No certified copy of a registration of marriage shall be issued except to one of the parties to the marriage or to a person authorized by the Registrar General or the order of a court and upon payment of the prescribed fee. R.S.O. 1970, c. 483, s. 40.

Admissibility  
in evidence of  
certificates,  
etc.

**42.** A certificate purporting to be issued under section 40 or a certified copy of a registration purporting to be issued under section 41 signed by the Registrar General or Deputy Registrar General or on which the signature of either of them is lithographed, printed or stamped is admissible in any court in Ontario as *prima facie* evidence of the facts so certified, and it is not necessary to prove the signature or official position of the person by whom the certificate or certified copy purports to be signed. R.S.O. 1970, c. 483, s. 41 (1).

No  
certificates  
by division  
registrar

**43.** A division registrar shall not issue a certificate in respect of any birth, death, marriage or still-birth. R.S.O. 1970, c. 483, s. 42.

Searches

**44.**—(1) Any person who,

(a) applies;

(b) pays the prescribed fee; and

(c) satisfies the Registrar General as to his reason for requiring it,

may have search made for the registration of any birth, death, marriage, still-birth, divorce, adoption or change of name in the indexes kept in the office of the Registrar General.

Search of  
church  
records

(2) Any person who,

(a) applies;

(b) pays the prescribed fee; and

(c) satisfies the Registrar General as to his reason for requiring it,

may have search made for any birth, marriage, baptism or death in any record kept in the office of the Registrar General pursuant to section 29.

(3) The only information given upon a search under subsection (1) or (2) shall be as to the existence or otherwise of the registration, and the registration number if registered. Information given on search  
R.S.O. 1970, c. 483, s. 43.

#### GENERAL PROVISIONS

**45.** Subject to section 28, no registration shall be made of a birth, still-birth, marriage or death occurring outside Ontario. Ontario registrations only  
R.S.O. 1970, c. 483, s. 44.

**46.** This Act applies in respect of any birth, marriage, death, still-birth, divorce, adoption or change of name that heretofore occurred or that hereafter occurs. Application of Act  
R.S.O. 1970, c. 483, s. 45.

**47.** No person shall issue any document that purports to be a certificate of a birth, marriage, death or still-birth other than a certificate provided for under this Act. Certificates not to be issued  
R.S.O. 1970, c. 483, s. 46.

**48.—(1)** If, after such notice to and the hearing of such interested parties as he considers proper, the Registrar General is satisfied that a registration was fraudulently or improperly obtained, he may order that a notation be made on the registration to that effect and thereafter no certificate shall be issued in respect of the registration. Registration unlawfully obtained

(2) Upon the making of an order under subsection (1), the Registrar General may require the delivery to him of every certificate previously issued in respect of the registration. Order for delivery of certificate

(3) If the Registrar General has reason to believe that a certificate in respect of a registration is being had or used for fraudulent or improper purposes, he may, after such notice to and the hearing of such interested parties as he considers proper, make an order requiring the delivery of the certificate to him. Certificate used improperly

(4) Any person who has in his possession or under his control a certificate in respect of which an order has been made under subsection (2) or (3) shall forthwith deliver the certificate to the Registrar General. Delivery of certificates  
R.S.O. 1970, c. 483, s. 47.

**49.—(1)** No division registrar, sub-registrar, funeral director or person employed in the service of Her Majesty shall communicate or allow to be communicated to any Secrecy

person not entitled thereto any information obtained under this Act, or allow any such person to inspect or have access to any records containing information obtained under this Act.

Statistics  
excepted

(2) Nothing in subsection (1) prohibits the furnishing and publication of information of a general statistical nature that does not disclose information about any individual person. R.S.O. 1970, c. 483, s. 48.

Registration  
by Registrar  
General

**50.**—(1) Where a statement of birth, still-birth or death is received for registration by the Registrar General directly instead of by the division registrar of the registration division within which the birth, still-birth or death, as the case may be, occurred, the Registrar General may, if he is satisfied as to the correctness and sufficiency of the statement, register the birth, still-birth or death by signing the statement, and thereupon the provisions of this Act relating to the registration of births, still-births and deaths apply with necessary modifications thereto.

Idem

(2) Where the Registrar General registers a birth, still-birth or death under subsection (1), he shall forward a copy of the statement of birth, still-birth or death, as the case may be, received by him for registration to the division registrar of the registration division within which the event occurred. R.S.O. 1970, c. 483, s. 49.

#### OFFENCES

Failure to  
give notice  
or furnish  
particulars

**51.**—(1) Every person who neglects or fails to give any notice, or to register or to furnish any statement, certificate or particulars respecting the birth, marriage, death, still-birth, divorce, adoption or change of name of any person as required by this Act, is guilty of an offence and on conviction is liable to a fine of not more than \$100.

Neglect of  
division  
registrar  
to make  
returns

(2) If a division registrar fails to transmit to the Registrar General any registration or to make any return as required by this Act, he is guilty of an offence and on conviction is liable to a fine of not more than \$100, and each succeeding week's continuance of failure to make the transmission or return constitutes a new and distinct offence, and the Registrar General may refuse to issue a certificate for the payment of any fee due to the division registrar until the transmission or return is made. R.S.O. 1970, c. 483, s. 50.

False in-  
formation

**52.**—(1) Every person who wilfully makes or causes to be made a false statement in any notice, registration, statement, certificate, return or other document respecting any particulars

required to be furnished under this Act is guilty of an offence and on conviction is liable to a fine of not more than \$500 or to imprisonment for a term of not more than six months, or to both; and every legally qualified medical practitioner who wilfully makes a false statement as to the cause of the death of any person, or represents himself as having been in attendance during the last illness of any person when in fact he was not called in attendance until after the death, is, in addition to any penalty imposed by this Act, subject to discipline by the Council of the College of Physicians and Surgeons of Ontario.

(2) Every person who wilfully makes or causes to be made a registration of a birth, marriage, death or still-birth as having occurred in Ontario in respect of any person whose birth, marriage, death or still-birth did not occur in Ontario is guilty of an offence and on conviction is liable to a fine of not more than \$500 or to imprisonment for a term of not more than six months, or to both. R.S.O. 1970, c. 483, s. 51.

53. Any person contravening any of the provisions of section 49 is guilty of an offence and on conviction is liable to a fine of not more than \$200. R.S.O. 1970, c. 483, s. 52. Breach of  
secrecy  
provision

54. Every person guilty of any act or omission in contravention of this Act for which no penalty is otherwise provided is guilty of an offence and on conviction is liable to a fine of not more than \$100. R.S.O. 1970, c. 483, s. 53. General  
offence

#### REGULATIONS

55. The Lieutenant Governor in Council may make regulations, Regulations

- (a) prescribing forms and providing for their use;
- (b) prescribing the duties of the Deputy Registrar General and providing for the delegation to him of such of the powers and duties of the Registrar General as may be considered necessary;
- (c) prescribing the duties of inspectors;
- (d) prescribing the system of filing of registrations;
- (e) prescribing the particulars of registrations to be entered in the indexes;
- (f) prescribing the duties of and records to be kept by the division registrars;



- (g) prescribing the information and returns to be furnished to the Registrar General and fixing the times when information and returns are to be transmitted;
- (h) fixing the times when division registrars shall forward registrations to the Registrar General;
- (i) prescribing the duties of and returns to be made by sub-registrars;
- (j) designating the persons who may have access to or may be given information from the records in the Registrar General's office or in a division registrar's office, and prescribing an oath of secrecy to be taken by such persons;
- (k) for the registration of births, marriages, deaths, still-births, divorces, adoptions or changes of name in cases not otherwise provided for in this Act;
- (l) prescribing the fees to be paid for searches, certificates and anything done or permitted to be done under this Act and providing for the waiver of payment of any such fees in favour of any person or class of persons;
- (m) designating the officers who may sign registrations and notations;
- (n) prescribing the evidence on which the Registrar General may register a birth, still-birth, marriage or death after one year from the date thereof;
- (o) prescribing the evidence on which the Registrar General may make a registration of birth in the case of a child legitimated by the subsequent inter-marriage of his parents;
- (p) requiring the persons in charge of hospitals to make returns of the births of all children born in the hospitals;
- (q) prescribing special forms for registrations in respect of Indians;
- (r) providing that registrations in respect of Indians shall be kept separate from other registrations;

- (s) authorizing every superintendent of an Indian agency in Ontario to act *ex officio* as division registrar for the Indians under his jurisdiction;
- (t) for the purpose of effectively securing the due observance of the Act and generally for the better carrying out of the provisions thereof and obtaining the information required thereby. R.S.O. 1970, c. 483, s. 54.

